



# MINORITY AND JUSTICE COMMISSION

HIBULB CULTURAL CENTER  
6410 23rd Ave NE, Tulalip, WA 98271

FRIDAY, SEPTEMBER 22, 2017

8:45 A.M. – 2:00 P.M.

JUSTICE MARY YU, CO-CHAIR  
JUSTICE CHARLES W. JOHNSON, CO-CHAIR

Teleconference: 1-877-820-7831

Passcode: 358515#

## AGENDA

### CALL TO ORDER 8:45 – 8:50 a.m. (5 minutes)

- Welcome
- Approval of June 30, 2017 Meeting Minutes 1

### CO-CHAIRS' REPORT 8:50 – 9:05 a.m. (15 minutes)

- 2018 Meeting Dates 14
- BJA Task Forces Seeking MJC Representative: 15
  - Interpreter Services Funding Task Force
  - Court System Education Funding Task Force

### PRESENTATIONS & REMARKS 9:05 – 10:30 a.m. (85 minutes)

- **Chief Justice Daniel A. Raas – Tulalip Tribal Court of Appeals**
- **Wendy Church – Tulalip Tribal Court Director**
- **Diana Bob, Esq. – Key Terms in Federal Indian Law**
- **Judge Lisa Atkinson – Violence Against Women Act**
- **Brooke Pinkham, Esq. – Staff Director, Center for Indian Law and Policy, Seattle University School of Law**

### STAFF REPORT 10:30 – 11:30 a.m. (60 minutes)

- **Staff Report – Carolyn Cole & Cynthia Delostrinos**
  - Tribal State Court Consortium 19
  - Co-sponsorship requests:
    - Implicit bias training for Administrative Law Judges – October 30, 2017, Olympia, Seattle, and Spokane 23
    - BJA Public Trust & Confidence Committee Public Service Announcement 26
  - Pretrial Reform Task Force
  - LFO Consortium
  - Eliminating the Pipeline School Discipline Series
  - Institutional Challenge Grant
  - Youth Events:
    - Color of Justice
    - Tri-Cities Youth & Justice Forum (“How Science and Technology Can Help Us In Our Quest for Justice”) – November 3, Columbia Basin College, Pasco, WA
  - Budget
  - Shout-outs

### 2017-2018 LAW STUDENT LIAISONS INTRODUCTIONS 11:30 – 11:40 a.m. (10 minutes) 30

**LUNCH** 11:40 a.m. – 12:00 p.m. (20 minutes)

**COMMITTEE REPORTS** 12:00 – 1:00 p.m. (60 minutes)

- **Education Committee – Justice Stephens and Judge Smith** 12:10 – 12:35 p.m. (25 minutes)
  - Fall Judicial Conference
  - WASCLA Summit – October 13-14, Wenatchee, WA
  - Institute for New Court Employees Bridges for Cultural Competency – October 24, Bellingham, WA
  - Appellate Conference
  - SCJA & DMCJA 2018 Spring Conference Proposals
  - Joint Commissions Education Committee
  - State Law Library partnership
- **Workforce Diversity Committee – Judge Glenn** 12:35 – 12:45 p.m. (10 minutes)
  - Judges and Commissioners of Color Directory and Bridging Justice Reception
  - Justice C.Z. Smith Awards
- **Juvenile Justice Committee – Annie Lee** 12:45 – 12:50 p.m. (5 minutes)
- **Outreach Committee** 12:50 – 12:55 p.m. (5 minutes)

**LAW STUDENT LIAISON ORIENTATION** 1:00 – 2:00 p.m.

**Please see 2018 MJC Meeting Schedule in the meeting packet for upcoming Commission meeting dates.**

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|--|---|--|
|  <p>WASHINGTON<br/>COURTS</p> | <p><b>Washington State Minority and Justice Commission<br/>(WSMJC)</b><br/><b>Friday, June 30, 2017</b><br/><b>8:45 am – 1 pm</b><br/><b>AOC SeaTac Office</b><br/><b>18000 International Blvd., Suite 1106, SeaTac, WA</b></p> <p><b>Teleconference: 1-877-820-7831</b><br/><b>Passcode: 358515#</b></p> |  <p>IGUALDAD DE JUSTICIA • 平等 • 司法 • 公平 • 公正 • 公道 • 公理 • 公义</p> <p>EQUAL JUSTICE • Bình Đẳng • 司法</p> |
| <p><b>MEETING NOTES</b></p>  |   |  |

**Commission Members Present**

Justice Charles Johnson, Co-Chair  
Justice Mary Yu, Co-Chair  
Justice Debra Stephens  
Judge Veronica Alicea-Galvan  
Judge Lisa Atkinson  
Mr. Jeffrey A. Beaver  
Ms. Ann Benson  
Prof. Robert Boruchowitz  
Ms. Lisa Castilleja  
Mr. Steve Clem  
Judge Linda Coburn  
Mr. Mike Diaz  
Judge Lisa Dickinson  
Judge Theresa Doyle  
Professor Jason Gillmer  
Judge Bonnie Glenn  
Mr. Abdullahi Jama  
Ms. Kitara Johnson  
Judge Linda Lee  
Judge LeRoy McCullough  
Ms. Kim Morrison  
Ms. Rosalba Pitkin  
Ms. Jasmin Samy  
Judge Lori K. Smith  
Judge Kimberly Walden  
Judge Helen Whitener  
Judge Dennis Yule

**AOC Staff Present**

Ms. Carolyn Cole  
Ms. Cynthia Delostrinos  
Ms. Nichole Kloepfer  
Ms. Intisar Surur

**Guests**

Mariah Lee  
Jaime Hawk

**Student Liaisons Present**

## CALL TO ORDER

The meeting was called to order at 8:55 a.m.

The meeting minutes from the April 7, 2017 meeting were approved as presented.

## CO-CHAIRS REPORT

### Symposium Debrief

On May 24, 2017, approximately 130 justice system partners attended the Commission's annual symposium held at the Temple of Justice. Dozens more watched via TVW webcast. This year's symposium included a keynote presentation by Professor Nina Chernoff (CUNY School of Law) on why jury pools have failed to reflect the racial and ethnic makeup of their communities, why a representative jury is critical to justice, and nationwide efforts to increase jury diversity and their effectiveness. Judge Steve Rosen (King County Superior Court), Dr. Matthew Hickman (Seattle University), and Dr. Peter Collins presented the preliminary results of the Commission's statewide Jury Demographic Survey. Chris Gaddis, Pierce County Superior Court Administrator, also shared the results of a juror summons study. The program concluded with an account of the challenges that a juror of color experienced to participation and a call to action delivered by Angeline Thomas, Esq., Executive Director of Washington Appleseed.

Discussion:

- TVW viewing was seamless
- The topic was timely, speakers were knowledgeable and persuasive, and the individual juror who provided her testimonial was courageous.
- Justice Yu announced that she will be helping make a presentation to the Pierce County Superior Court to participate in a pilot program to raise juror pay to \$100 per day. A non-profit has raised the funds to provide juror pay to jurors who say they can't participate for economic reasons. Pierce County Superior Court would be in complete control of how the pilot program is run. Marketing and publicity about the pay increase would also be done. Judge Yule noted that this would be helpful because the pilot in Franklin County failed because the pay increase was not publicized enough.
- Justice Stephens stated that she would hate to see juror have to fill out an IFP to qualify for the funds.
- Judge Whitener was concerned that we could lose sight of jury diversification by focusing entirely on economic hardships.
- Judge Dickinson suggested that the pilot program be opt-out instead of opt-in because some cultures do not encourage asking for money, even if there is economic hardship.
- Abdullahi Jama asked if the funds would be used to reach out to immigrants. There is a state requirement that jurors speak and understand English.
  - Judge Galvan explained that the issue comes up frequently. Immigrant jurors' fear is that they will not understand the terminology. She tries to assure jurors that even native English speakers may not understand the terms, but the court will assist them. English as a second language should not automatically preclude participation.
  - Jasmin Samy shared that there are many individuals in the Muslim community who do not have a language barrier or economic hardship, but they do not want to serve because the responsibilities are not communicated clearly and they are overwhelmed.

- Rosalba Pitkin also shared that college students are fearful because they believe they won't understand the legal terminology.
- Annie Benson encouraged the group to work on reframing jury duty as a positive opportunity to participate collectively.
- Steve Clem would like to see a focus on the summons process. Justice Yu said the group will look at source lists because they are out of date.
- Diana Bob noted that special attention needs to be placed on the perception amongst Native Americans living on reservations that they will never receive jury summons because they live on reservations.

**Next steps:**

- Symposium planning group will take a look at the WA Appleseed recommendations to see if they can be implemented. Others are welcome to join. Let Carolyn know if you would like to join the Jury Diversity Committee.
- Annie Benson will post the symposium recording on the Washington Defender Association website and advertise that it is approved for CLEs. Steve Clem will send to prosecutors.
- Kim Morrison asked that the committee include clerk representation because they are required to implement some of the recommendations at the court level. She will reach out to Barb Christensen, President of the Clerks Association, to ask for representatives to serve on the committee.
- The committee should also include court administrators, community representation, and legislators. Suggested legislators: Jamie Pedersen, Rebecca Saldaña, and Laurie Jinkins.
- Create a page for juror resources, including:
  - <https://www.youtube.com/watch?v=0X3dyEY7rnQ> (English)
  - [https://www.youtube.com/watch?v=6Z7TUQ\\_URtc](https://www.youtube.com/watch?v=6Z7TUQ_URtc) (Spanish)
  - Legal vocabulary glossary
  - Juror handbooks and guides  
<http://www.courts.wa.gov/newsinfo/content/pdf/juryGuideBrochure.pdf>
  - <https://www.courts.wa.gov/newsinfo/index.cfm?fa=newsinfo.displayContent&theFile=content/ResourcesPubsReports>
  - Interpreter Commission resources:  
[http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/index.cfm?fa=pos\\_interpret.display&fileName=resourcesForInterpreters](http://www.courts.wa.gov/programs_orgs/pos_interpret/index.cfm?fa=pos_interpret.display&fileName=resourcesForInterpreters)

**STAFF REPORT**

**Updated Juvenile Defense Guidelines Discussion**

The WSBA Council on Public Defense (CPD) made updates to the guidelines based on feedback it received. The Juvenile Justice Committee met to discuss and provided feedback about the language. However, there were not enough committee members present on the call to give any recommendations as a committee. Professor Bob Boruchowitz asked if the Commission could determine whether it supports Guiding Principles 11 and 12. These are the main areas without unanimity and the most appropriate area for the Commission to voice its support because of its mission statement.

Discussion:

- Judge Galvan concerned that the guidelines would be hard to police or enforce, especially because everyone has different definitions of what is “disparate” and different levels of understanding systemic problems.
- Judge Lee also concerned that some language says “includes” and some says “requires.” It is not clear whether this means there are different levels of responsibilities.
- Mike Diaz was concerned that requiring a defender in every case to look at systemic problems may shift their energy away from representing their client. Guidelines may take away some discretion to choose the right case to make the right points about systemic problems.
- Professor Boruchowitz and Annie Benson explained that the guidelines are important to help defenders provide an argument for more resources from county commissioners. The guidelines are also not determinative for assessing ineffective assistance of counsel. They are an effort to shift the culture of defenders to understand that they can’t be complicit in systemic problems. Defenders can do this through litigation, but they can also do this by meeting with correction officers, writing a letter, connecting their client with other services, etc. There was similar resistance in the immigration context. It took 12 years to shift the culture, and in 5-6 years, the attorneys were taking on the issue as their own.
- Kitara Johnson encouraged CPD to include language about mental health and public health disparities. Some juveniles are being penalized because they don’t have a formal diagnosis of a mental health condition or they are high-functioning, but still lack the capacity to understand what they are doing because of mental illness. It’s important that we do not just look at disparities in the criminal justice system. **She will get proposed language to Prof. Boruchowitz regarding public health disparities.**
  - Prof. Boruchowitz pointed out that the guidelines encourage communication to obtain information about the mental health status of their client, their families, etc.
- Judge Doyle supports the guidelines. She believes they are aspirational and not requirements. Judge Coburn pointed out that the paragraphs following Principles 11 and 12 clarify the language.
- Steve Clem warned that guidelines sometimes have a way of becoming standards enforced by the courts. It would not be a stretch to see courts requiring affirmative legal action under Guiding Principles 11 and 12. He also noted that representation in state institutions may be hard because of travel, especially for defenders in small counties.
- Judge McCullough supports the guidelines as written. The Commission’s support should not be watered down so much that it is ineffective.

**Vote:** Justice Yu motioned to draft a limited letter of support to be presented at CPD’s next meeting on July 21, 2017. The letter would communicate that the Commission supports the principle that defenders raise questions of institutional issues. The Commission will not give any recommendations about specific language in the guidelines.

Unanimous vote in favor.

### **Follow-up from April 7 meeting**

#### India Association of Western Washington request for funding

Funding requested for Mobile Hate Crime Info Workshops: \$3000

- Lisa Castilleja reported that UW Law School has submitted a grant application to help fund these workshops. Will find out in August if they received the grant.

Funding requested for Legal Clinics Open for All Communities: \$2000

**Vote:** Judge Dickinson motioned to provide no funding to the legal clinics, but Diana Bob would take the lead to connect IAWW with the Minority Bar Associations to find funding. Unanimous vote to approve.

Justice Yu motioned to endorse the Hate Crime Info Workshops, but provide no funding. Commission could be listed as a “supporter,” not a “co-sponsor.” Commission will help publicize and encourage members to attend. Jasmin Samy will volunteer on the behalf of the Commission to serve as a speaker on a panel. All voted in favor, except Jeffrey Beaver who opposed.

Carolyn will communicate the decision with Lalita Uppala at IAWW.

### Co-sponsorship Criteria

Staff developed the documents because the Commission receives many co-sponsorship requests, but we want to make sure that the Commission is contributing its resources to projects that align with its mission. The form will be made available on the website.

The Commission has limited funding and cannot be seen as a funding source. Unfortunately, we are not able to fund many great projects that support our mission. However, the Commission can provide other types of support like publicity and speakers. The Commission can also help connect organizations with other funding sources.

### **Recommendations:**

- Provide requesters with a model budget that would give the Commission more discretion about what line items they can fund. Budget should also include a line item for in-kind donations.
- After discussing the IAWW’s funding requests, the Commission determined that it would like to have two tracks for requests: co-sponsorship requests and supporter requests. The Commission is a “co-sponsor” when we provide funding and help plan the event. The Commission is a “supporter” if it does not provide funding and/or did not help to plan the event, but provides other support like publicity and guest speakers. Carolyn will modify the form to reflect the changes.

### Immigration bench guide updates

Annie Benson and her team have worked hard to make the updates and drafts of the chapters are ready for review. Judge Galvan, Judge Ketu Shah, Judge Smith, and Judge Marilyn Paja have volunteered to serve as editors. Annie would like to have judges outside of the Puget Sound area, prosecutors, and impacted communities help review to ensure that the bench guide is as neutral as possible.

### **National Consortium on Racial and Ethnic Fairness in the Courts Conference**

Judge Galvan and Carolyn attended the conference in St. Louis. This year’s theme: Gateway to Justice: Out of the Fire and Into the Future. Judge Galvan shared that it was a valuable experience. She had a visceral realization of the straight line that runs through *Dred Scott*, to *Plessy v. Ferguson*, to the stratification we see in Ferguson, Missouri, today. The educational experience was superb. Two speakers that we should consider inviting to present at future conferences: John A. Powell (Professor of Law at UC Berkeley) and Seth Stoughton (Assistant Professor University of South Carolina School of Law). Professor Powell lectured on structural racism and Professor Stoughton lectured on the science of perception in the age of body cameras. Judge Galvan also recommended

screening the movie "Tribal Justice." Cynthia shared that the Commission is screening the movie at the Tribal State Consortium meeting at Fall Conference. Judge Galvan also reported that Washington State is regarded as forward-thinking on the issue of racial bias in the courts and the Consortium recognized Justice Charles Z. Smith's contributions. She hopes that we continue to participate in the conference.

Full program: <http://www.national-consortium.org/~media/Microsites/Files/National%20Consortium/Conferences/2017-consortiumbookweb.ashx>

Judge Galvan was able to connect with Judge Adrienne Nelson, the second African American female judge appointed in the state of Oregon, to help plan this year's Judges of Color Reception at Fall Conference. Judge Nelson is interested in cross-border educational opportunities and would like to attend Fall Conference. Carolyn will check with Judith Anderson to see if this would be possible.

### **Tribal State Consortium – July 21, 9 am – 4 pm, Colville Tribal Government Center**

This year, our regional meeting will be held at the Colville Tribal Government Center. It will be the first time the Consortium will meet in the Eastern region. The theme of the meeting is "The Value of Tribal State Court Consortiums."

Keynote speaker: BJ Jones is the Director of the Tribal Judicial Institute at the University of North Dakota School of Law where he also teaches Indian law and social justice issues as an Adjunct Professor. He has been a Tribal Judge for over 25 years now serving as the Chief Judge for Sisseton-Wahpeton in South Dakota and Prairie Island in Minnesota. He also serves as an Associate Judge for Standing Rock, Oglala Sioux Supreme Court, White Earth, and as a pro tem Judge for numerous other Tribes in Minnesota, Montana, and the Dakotas. He serves as a member of both the North Dakota Tribal-State Court forum and the Minnesota Committee on Tribal and State Courts and was the Co-Chair of the South Dakota Committee on ICWA compliance. He was a legal services attorney on the Rosebud and Standing Rock reservations for eleven years prior to assuming the bench. He is a 1984 graduate of the University of Virginia School of Law.

### **Institutional Challenge Grant**

The 3-5 year grant for \$650,000 or more is intended to create sustainable research-practice partnerships that can reduce inequality in youth outcomes.

<http://wtgrantfoundation.org/library/uploads/2017/03/2017-Institutional-Challenge-Grant-Application-Guide.pdf>

WSSCR and partners at UW and WSU have formed a justice research and advancement center. One major focus of the center will be juvenile justice-improving systems to improve outcomes and to advance equal justice. On behalf of the center, Dr. Carl McCurley and Dr. Sarah Walker met with Justice Yu and staff because they would like MJC to be the public agency partner for the grant application. Application deadline: September 12, 2017. The Commission will bring juvenile justice system partners together to develop the application.

### **Pre-trial Justice Task Force Launch**

The Pre-trial Justice Task Force launched on June 22, 2017, to outline plans for examining policies and practices regarding pretrial detention of persons charged with crimes in Washington. The Pretrial Reform Task Force will work for approximately 18 months gathering data to formulate recommendations for expanding pretrial release. The task force will be organized into 3 subcommittees that will look at pretrial services best practices, risk assessments, and data collection. Email Intisar Surur, SCJA Senior Court Program Analyst, at [Intisar.surur@courts.wa.gov](mailto:Intisar.surur@courts.wa.gov) if you would like to be added to email list or participate as a task force member.

Press Release: <http://www.courts.wa.gov/newsinfo/?fa=newsinfo.pressdetail&newsid=12727>

Photos: <https://www.flickr.com/photos/wacourts/sets/72157683350260680>

## **LFO Consortium**

Cynthia reported that we are now 7 months into the grant and we are on track with our timeline. The third Consortium meeting will be held on July 17, 10 am – 1 pm, at the AOC SeaTac Office (18000 International Blvd., Suite 1106, SeaTac, WA). The subcommittees have been focused on gathering data. The LFO Calculator Subcommittee, chaired by Judge Coburn, recently sent out a survey to superior, district, and municipal court judges to get feedback about the functions that they would like to see in a calculator. The group hopes to have a prototype of the calculator by winter.

## **Youth Events**

### Seattle Youth and Law Forum

Judge Glenn, Judge McCullough, and Karen Murray were able to attend. Judge Glenn reported that Angela Rye was a great keynote speaker. She reinvigorated the community to not stay silent or neutral. Approximately 200 people attended. Judge McCullough noted that the forum gave the community an opportunity to engage with the police during a time of heightened tension because of police shootings.

### Color of Justice, August 17, 9 am – 3 pm, Pierce County Superior Court

One-day event to encourage minority girls between the ages of 11-18 to consider legal and judicial careers by bringing them together with female Judges. This event will feature networking and empowerment panels on the law and the legal profession and why diversity and minority perspectives matter. The event will educate and empower young minority girls who desire to understand how the justice system works.

Judge Whitener reported that there has been overwhelming interest in the event. Approximately 60 girls are anticipated to attend. She has received comments from the community that they have not seen the judiciary engaging in this way before. She would like to hold the event again next year, but in a larger venue. The event will be inclusive of girls who may have disabilities or are first generation Americans. Justice Yu will serve as the keynote speaker. Judge Whitener, Judge Galvan, and Judge Lee will also serve as panel speakers. Application deadline July 14, 2017. Flyer and registration information included in meeting packet. Carolyn will resend the electronic flyer.

Jasmin Samy and CAIR will sponsor 5-10 girls and donate mugs. Judge Lee suggested that we get t-shirts made for the event. If anyone has any swag that they can donate for the event, or would like to give a monetary contribution, please let Cynthia know. The law schools have already donated

backpacks. Would like portable chargers because they have been popular in the past. Organization logos are fine.

Tri-Cities Youth and Justice Forum, November 3, Columbia Basin College, Pasco, WA

Theme: How Science and Technology Can Help Us in Our Quest for Justice

Pacific Northwest National Laboratory has committed \$10,000 for the event. The planning group is in the process of finalizing the program agenda and speakers. They will begin reaching out to other potential sponsors and volunteers this summer. MJC will provide a \$1000 co-sponsorship for the event.

### **Spokane Community Forum Event with Ron Davis**

On April 24, 2017, the Commission hosted a screening of "3 ½ Minutes, 10 Bullets," an award-winning documentary about the murder of Jordan Davis, at Eastern Washington University's Spokane Campus. The screening was followed by a community forum featuring Ron Davis, Jordan's father, and Spokane community leaders. The event brought nearly 100 community members together to engage in difficult conversations about community relations and race. Jordan's story highlights the need to address racial bias and hate in our communities before it leads to violence and the importance of holding our community leaders accountable. Special thanks to our co-sponsors: Eastern Washington University, NAACP Spokane Chapter, The Law Office of D.C. Cronin, and Center for Justice.

Judge McCullough shared that another film, "Promised Land," will be screened on July 6, 8-10 pm, for free at the Neptune Theatre in Seattle. More information:

[https://www.facebook.com/events/1841924739405100/?acontext=%7B%22ref%22%3A%223%22%2C%22ref\\_newsfeed\\_story\\_type%22%3A%22regular%22%2C%22feed\\_story\\_type%22%3A%2217%22%2C%22action\\_history%22%3A%22null%22%7D](https://www.facebook.com/events/1841924739405100/?acontext=%7B%22ref%22%3A%223%22%2C%22ref_newsfeed_story_type%22%3A%22regular%22%2C%22feed_story_type%22%3A%2217%22%2C%22action_history%22%3A%22null%22%7D)

### **Eliminating the Pipeline School Discipline Series**

Part 2 of the series was held Friday, June 9, 5:30-8:00 pm, at the Tukwila Community Center. The series is a joint effort between the Commission and Equity in Education Coalition to connect schools and educators with those who work in the courts and justice system to reflect, learn, and take action – working together to put an end to disproportionate discipline practices and provide better service to our children.

Guest Speaker: Dr. Debra Ren-Etta Sullivan. Dr. Sullivan serves as the President of the Seattle Affiliate of the National Black Child Development Institute. The focus of her work is implementing appropriate learning environments for Black children and increasing advocacy for their educational rights. She has worked in higher education for thirty years as a teacher, researcher, curriculum developer, administrator, and education coach. She is Dean of Applied Behavioral Sciences at Seattle Colleges, and the co-founder and past president of the Praxis Institute for Early Childhood Education. Before beginning the Praxis Institute, she served six years as the dean at Pacific Oaks College Northwest. She earned her doctorate in educational leadership and her master's degree in curriculum and instruction from Seattle University. Among many leadership roles, Dr. Sullivan served on Washington State's Early Learning Advisory Council, the National Association for the Education of Young Children's Governing Board, and her book, "Cultivating the Genius of Black Children," is available now from Red Leaf Press.

Next workshop:  
Discipline in School  
September 14, 5:30 – 8 pm, Tukwila Community Center  
RSVP: [Discipline@eec-wa.org](mailto:Discipline@eec-wa.org)

### Annual Report

The annual report was released at the symposium and emailed to our listservs. Available in hardcopy and on our website: <http://www.courts.wa.gov/committee/pdf/2016MJCAnnualReport.pdf>

### Budget

We are projected to go over budget this year. The Commission supported projects that were not initially budgeted for and travel expenses are a large chunk of our expenditures. Commission members are encouraged to keep their travel expenses to a minimum.

**Vote:** The Commission voted unanimously to adopt the proposed budget for FY 17-18.

### Shout-outs

Carolyn gave a shout-out to:

- Judge Doyle and Judge Galvan for their excellent jury implicit bias session at SCJA Spring Conference.
- Our friends in Spokane for proactively organizing a viewing session for the symposium.
- Our Symposium Committee for helping plan a fantastic symposium: Justice Yu, Judge Coburn, Judge Rosen, Judge Doyle, Lila Silverstein, David Morales, Angeline Thomas, Jaime Hawk, Prof. Jason Gillmer, and Anita Khandelwal and staff.

## LAW STUDENT LIAISONS

### Recognition of 2016-2017 Law Student Liaisons

The Commission thanks the liaisons for their service this year. **Certificates of appreciation will be sent to them.** Carolyn suggested bar prep support as a way for the Commission to help future liaisons.

## COMMITTEE REPORTS

### Education Committee – Justice Stephens and Judge Smith

#### SCJA Spring Conference

Received positive evaluations for our 3 sponsored sessions:

- Ron Davis – 3 ½ minutes 10 Bullets (Judge McCullough)
- Professor Butler – Race, Law, and Politics: Implications for the Court in the 21st Century (Judge Darvas)
- Professor Anna Roberts - Juror implicit bias (Judge Doyle and Judge Galvan)

- The juror implicit bias session was especially well-received. Judges appreciated that it was a more hands-on session with concrete suggested actions.

### ATJ Conference

Report provided by Karen Murray:

The theme of this year's conference was "**Racing to Justice: Community Lawyering to Bend the Arc.**" Because of the times we are in and because of the work that many of us do as members of this commission and in our daily professional lives, the conference rolling out of the Access to Justice Board 2018 – 2020 State Plan for the Coordinated Delivery of Civil Legal Aid to Low Income People was very timely. As per the introductory remarks made during the unveiling of the Plan, "This Plan is intended to guide the collective efforts of the Alliance for Equal Justice to expand access to our civil justice system and identify and eliminate barriers that perpetuate poverty and deny justice. We adopt this Plan as communities across Washington report increasing fear and anxiety about a changing political climate that once again targets those who have historically been most vulnerable to marginalization. We adopt this Plan with the belief that we must coordinate our collective efforts, using all the legal tools we are privileged to wield, and take direction from community leaders in pursuit of a just and equitable system."

### The Plan as a Focal Point

The purpose of the Plan became a focal point in all the sessions due in part to the startling finding in the 2015 Civil Legal Needs Study. The study revealed seven in ten low-income households face at least one significant legal problem each year and, on average, experience more than nine legal problems for which the vast majority will not get the help they need. I remember when I first heard this study at the King County Bar Foundation's Breakfast with Champions in March, I along with others at my table were aghast that such a gap existed for those in our communities. So, as a group of lawyers, judges, civil service providers, social service providers, community leaders and activists, volunteers, and non-legal practitioners, we were more than ready to attend the various sessions to hear, to learn, and to contribute so that we could leave the two day session with the tools necessary to effectively and efficiently to implement the Plan's goals.

### The Five Goals

The Access to Justice Board Plan sets forth five goals to better serve those communities that confront barriers because of their income, race, language, gender identity, religion, etc. Those goals are: 1) race equity (lens for us to apply at every stage of our work); 2) ensuring that low-income communities and individuals understand their legal rights and responsibilities; 3) ensure that members of underserved and underrepresented communities will be able to obtain legal assistance regardless of their geographic and/or demographic circumstances; 4) holistic and client-centered approach to address the complexity and breadth of legal needs; and 5) pursue systemic advocacy to effect structural reforms. Along with the above stated goals the Plan also incorporated well thought out strategies to help those stakeholders to successfully implement those goals.

### Conclusion

Considering the political climate and the ongoing uncertainty with this administration's travel ban, health-care, and the disappearance of any safety net per se for those facing poverty, this conference was timely. This conference message was about what we can do more effectively and efficiently with the limited resources we have. The message was clear that if we work more collaborative we could avoid duplicating our scarce resources and serve more individuals in addressing their legal needs.

Fall Judicial Conference

- Heathman Lodge, Vancouver
- Better Judging Through Science (Sept. 18<sup>th</sup> 1:30-5 pm plenary session) – Prof. Tony Greenwald and Prof. Jerry Kang
  - Trial judges on the Commission were able to join a call with the Dr. Greenwald and Prof. Kang to develop the session. The goal of the session is to help judges understand the science behind implicit bias and decision making and what they can do about it. The session will include an interactive counterpoint discussion between the presenters and a panel of judges that will talk about what is happening in their courtrooms, possible innovations, and how it compares to the science.
- ER 609 (September 19<sup>th</sup> 10:30 am – 12 pm choice session) – Prof. Anna Roberts
  - Judge Doyle reported that they have confirmed a Clark County prosecutor who is opposed to ER 609 as a presenter to balance the session.

WASCLA Conference – October 13-14, Wenatchee, WA

MJC will submit a proposal for a session entitled: “A Discussion of Ethical Concerns Which May Occur When Providing Service to a Limited English Speaker.” Presenters: Judge Coburn and Anthony Gipe

Participants for this presentation are focused on certified interpreters, attorneys and judges, but can also be anyone who offers services to a limited-English-speaking person in the justice system. The focus of the presentation will be ethical and legal issues as they pertain to interpreters and the specific challenges represented to minority communities and the justice system, and the impact of effective interpreter services on communities of color.

Collaborative Efforts

The Education Committee is working on a few collaborative projects to promote intersectional programs and reach a wider audience outside of the conference model:

- BJA Court Education Committee Meeting
- Joint Commissions Education Committee Meeting
- Poverty Simulation (joint project with Gender and Justice Commission and Interpreter Commission)

**Outreach Committee – Judge Yule**

The committee will begin helping plan the September 22 (highlighting the Native American community) and December 1<sup>st</sup> MJC meetings (highlighting the Black community).

**Workforce Diversity Committee – Judge Bonnie Glenn**

Justice C.Z. Smith WA Supreme Court Memorial Service

The Washington Supreme Court honored Justice Charles Z. Smith at a memorial service on Thursday, June 1st at 9 a.m. in the Temple of Justice in Olympia. Justice Smith, who served on the Court from 1988 to 2002, died on August 28, 2016 at the age of 89. Justice Smith blazed many trails as the first racial and ethnic minority to serve on the Court, and as one of the first minority judges in Washington. On behalf of the Minority and Justice Commission, Judge Bonnie Glenn and Judge

LeRoy McCullough presented a [Resolution](#) in memory of Justice Smith to his family. The service was televised live by TVW and is [available for streaming](#).

Black Lens Spokane Justice Smith Tribute (page 8):  
<https://drive.google.com/file/d/0B5PEsG0YNnb7S1ZBeHI4SzrNnM/view>

### Justice C.Z. Smith Awards

The law school award will begin next year. The committee will give the law school deans recommendations for the award selection process.

Letters to WSBA leadership have been sent requesting that they rename the Diversity in Excellence Award to the Justice Charles Z. Smith Award. The WSBA Executive Committee has considered the request and referred it to their Awards Committee to make a recommendation to the Board of Governors. They hope to have a recommendation to the Board by its September meeting.

### Judges and Commissioners of Color Directory

A draft directory of all survey respondents has been completed. The committee is finalizing the introduction letter and email to the judges to verify their information.

### Judges of Color Reception – Fall Judicial Conference, September 17, Vancouver, WA

Heathman Lodge (7801 NE Greenwood Drive, Vancouver, WA 98662 ) 6- 7:30 pm

This year's reception will be co-sponsored by AOC. The reception will be an official Fall Conference event and the Save the Date flyer will be included in the Fall Conference materials and sent to our listservs. The committee is working on the program agenda.

Theme: Bridging Justice

All are invited to join us for a celebration of diversity and inclusion on the bench. This year's reception will explore the role that judges of color play as bridges to historically marginalized communities in the judicial system and provide an opportunity to network with Oregon judges.

Special guests: Judge Adrienne Nelson (Multnomah County Circuit Court) and Friends. Light appetizers and beverages will be served. RSVP:  
[https://docs.google.com/forms/d/e/1FAIpQLSf\\_aAN67X3gfpA2lsdSGts9KNqYGLfIrKDtp5ILUsm3kDcejg/viewform](https://docs.google.com/forms/d/e/1FAIpQLSf_aAN67X3gfpA2lsdSGts9KNqYGLfIrKDtp5ILUsm3kDcejg/viewform)

### **Juvenile Justice Committee – Annie Lee**

The committee has been using their meetings to hear presentations on programs like FIRS and the Theft 3 Pilot Project, and the 2016 Washington State Juvenile Detention Annual Report published by WSCR. The presentations have been very informative and the committee hopes to give recommendations for actions the Commission can take.

Washington State Juvenile Detention 2016 Annual Report:  
<http://www.courts.wa.gov/subsite/wscrr/docs/2016DetentionAnnualReport.pdf>

Family Intervention and Restorative Services (FIRS):  
<http://www.kingcounty.gov/depts/prosecutor/youth-programs/firs.aspx>

Meeting adjourned at 12:30 p.m.

**NEXT COMMISSION MEETINGS:**

- **September 22, 2017, Hibulb Cultural Center (6410 23<sup>rd</sup> Avenue NE Tulalip, WA 98271), 8:45 am – 2 pm. Travel information, meeting agenda, and materials will be shared closer to the meeting date.**

## Minority and Justice Commission Meeting Schedule 2018

Conference Number: 1-877-820-7831, Participant Code 358515#

| <b>Date</b>  | <b>Time</b>                                       | <b>Location</b>  |
|--|---|--|
| Friday, January 19, 2018                           | 8:45 a.m. – 2 p.m.                                | TBD  |
| Friday, April 6, 2018                              | 8:45 a.m. – 2 p.m.                                | AOC SeaTac Office<br>18000 International Blvd.<br>Suite 1106<br>SeaTac, WA 98188 |
| Supreme Court Symposium<br>Wednesday, June 6, 2018 | 9:00 a.m. – 12 p.m. with<br>a reception to follow | Temple of Justice<br>Olympia, WA   |
| Friday, June 29, 2018                              | 8:45 a.m. – 2 p.m.                                | AOC SeaTac Office<br>18000 International Blvd.<br>Suite 1106<br>SeaTac, WA 98188 |
| Friday, September 28, 2018                         | 8:45 a.m. – 2 p.m.                                | TBD  |
| Friday, November 30, 2018                          | 8:45 a.m. – 2 p.m.                                | AOC SeaTac Office<br>18000 International Blvd.<br>Suite 1106<br>SeaTac, WA 98188 |

Please contact Carolyn Cole at [Carolyn.Cole@courts.wa.gov](mailto:Carolyn.Cole@courts.wa.gov) or 360-704-5536 if you have any questions.



September 6, 2017

Honorable Charles Johnson  
Honorable Mary Yu  
Washington State Supreme Court  
PO Box 40929  
Olympia, WA 98504-0929

Dear Justice Johnson and Justice Yu:

RE: Invitation to Join the Board for Judicial Administration (BJA) Interpreter Services Funding Task Force

We write to invite you (or your designee) from the Washington State Minority and Justice Commission to be a part of the BJA Interpreter Services Funding Task Force, a promising and exciting project. The Task Force will develop a plan to obtain sustainable and sufficient funding for interpreter services for court needs. We believe you and each of the other invitees have particular subject matter expertise critical in moving this work forward in a positive, goal-achieving direction.

The goals of the Task Force are to:

- 1) Identify and quantify the current demand for and costs of interpreter services statewide using empirical information and sound research methods.
- 2) Analyze state and local funding for interpreter services.
- 3) Identify current efforts used to meet the demand for interpreter services and best practices that would optimize use of resources to provide services.
- 4) Estimate the costs of providing interpreter services.
- 5) Develop a legislative strategy to establish funding.
- 6) Develop an outreach plan and materials to communicate the need for funding.
- 7) Provide a report to the BJA and the Interpreter Commission.

The bulk of the work of the Task Force will be completed by July 2018 during the following meetings:

- November 8, 2017, 9:00–12:00 p.m. (SeaTac)
- December 8, 2017, 12:00–1:00 p.m. (online)
- January 8, 2018, 12:00–1:00 p.m. (online)
- April 13, 2018, 9:00–12:00 p.m. (SeaTac)
- June 1, 2018, 12:00–1:00 p.m. (online)

Letter to Honorable Charles Johnson and Honorable Mary Yu  
September 6, 2017  
Page 2 of 2

We encourage you to join us in this important effort. Please let us know by October 4, if you (or your designee) will participate in this work. More information will be provided to Task Force members closer to the first kick off meeting, November 8. Please provide member name and contact information to Jeanne Englert at [jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov) or 360-705-5207.

Respectfully,

Justice Steven González, Co-Chair  
Interpreter Services Funding Task Force  
Washington State Supreme Court

Judge Michael Downes, Co-Chair  
Interpreter Services Funding Task Force  
Snohomish County Superior Court

Judge Andrea Beall, Co-Chair  
Interpreter Services Funding Task Force  
Puyallup Municipal Court

cc: Honorable Mary Fairhurst  
Ms. Carolyn Cole  
Ms. Callie Dietz  
Ms. Jeanne Englert  
Ms. Misty Butler



August 17, 2017

Honorable Charles W. Johnson  
Washington State Supreme Court  
PO Box 40929  
Olympia, WA 98504-0929

Dear Justice Johnson:

RE: Invitation to Join the Board for Judicial Administration (BJA) Court System Education Funding Task Force

We write to invite you or your designee from the Supreme Court Commissions to be a part of the BJA Court System Education Funding Task Force, a promising and exciting project. The Task Force will develop a plan to obtain sustainable and sufficient funding for court system education of judges, administrators and court personnel. We believe you and each of the other invitees have particular subject matter expertise critical in moving this work forward in a positive, goal-achieving direction.

The goals of the Task Force are to:

- 1) Review the past and present education and training funding.
- 2) Articulate the impact of declining resources on courts and the public.
- 3) Estimate the costs of providing education and training.
- 4) Develop a legislative strategy to establish funding.
- 5) Develop an outreach plan and materials to communicate the need for funding.

The bulk of the work of the Task Force will be completed by July 2018 during the following meetings:

- October 16, noon – 1 p.m., Kick Off Meeting (Web call in)
- November 6, noon – 3 p.m. (SeaTac)
- December 4, noon – 1 p.m. (Web call in)
- February 12, noon – 1 p.m. (Web call in)
- April 16, noon – 3 p.m. (SeaTac)
- June 18, noon – 3 p.m. (SeaTac)

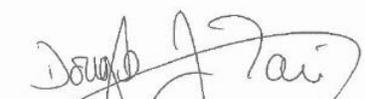
Letter to Honorable Charles W. Johnson  
August 17, 2017  
Page 2 of 2

We encourage you to join us in this important effort. Please let us know by September 15, if you (or your designee) will participate in this work. More information will be provided to Task Force members closer to the first kick off meeting, October 16. Please provide member name and contact information to Jeanne Englert, at [jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov) or 360-705-5207.

Respectfully,



Joseph M. Burrowes, Co-Chair  
Court System Education Funding Task Force  
Benton-Franklin Superior Court



Douglas J. Fair, Co-Chair  
Court System Education Funding Task Force  
Snohomish County District Court

cc: Honorable Mary Fairhurst  
Honorable Judy Rae Jasprica  
Ms. Jeanne Englert  
Ms. Cynthia Delostrinos

Tribal State Court Consortium (TSCC) Eastern Regional Meeting  
Colville Government Center, Nespelem, Washington  
July 21, 2017  
Notes

**I. Welcoming Remarks**

Chief Justice Anita Dupris and Chairman Michael Marchand welcomed guests to the Confederated Tribes of the Colville Reservation. This is the first TSCC regional meeting held in eastern Washington and there was great appreciation for our hosts and their support staff for organizing the meeting. Judge Cindy K. Smith and Judge Lori K. Smith called the TSCC Eastern Regional Meeting to order at 9:20 a.m. Attendees introduced themselves and a brief history of the Consortium was provided:

The Tribal State Court Consortium (TSCC) is a collaboration of the Minority and Justice Commission, Gender and Justice Commission, Administrative Office of the Courts, and tribal courts across Washington State. Created in 2013, TSCC aims to expand and increase communication and cooperation between state and tribal court judicial officers. TSCC provides an open, transparent forum where state and tribal court judicial officers can come together and discuss jurisdictional issues, gaps in services, and ways to develop lasting partnerships.

The goal of the meeting is to discuss the importance and value of tribal state court consortia, learn about the ways that other states have organized their consortia, and discuss cross-jurisdictional issues and ways that they can be addressed.

**II. “The Value of Tribal State Court Consortia”**

**Chief Judge B.J. Jones, Director, Tribal Judicial Institute at the University of North Dakota Law School**

- Judge Jones remarked on the collaboration of tribal courts and state courts in Washington. He urged tribal courts to continue to build relationships with the state judiciary as a way to protect tribal sovereignty because we have a federal administration that may not consider it a priority. State courts also increase their credibility when they protect tribal sovereignty.
- It is almost like a mystery to many state jurists about what tribal court judges do. It is important that they understand that state courts and tribal courts have the common objective to serve all people. Tribal courts must also recognize the credibility gap that they have with the tribes that they serve.
- Amongst many Native people, the perception is that federal courts are too harsh, state courts are racist and unfair, and tribal courts are corrupt. Historically, the federal government has created a lot of distrust between states and tribes. We have a lot of historical accounting to do. It is the duty of all judges to disabuse Native people of these perceptions.
- The federal, state, and tribal court systems can collaborate. Please utilize resources available at <https://www.walkingoncommonground.org/>
- Judge Jones gave an example of how we all should ask the questions that need to be asked. He signs 50 warrants a day for individuals who are delinquent on payment of fines and fees, but he has no accurate knowledge of their ability to pay. Thousands of non-Indians also use tribal courts, some of them are other people of color. We must also care about how they are served.
- Some of the issues that he has seen in his court in South Dakota involve the cross-jurisdictional usage, production, and sale of drugs; inter-tribal disputes (tribes not honoring each other’s

Tribal State Court Consortium (TSCC) Eastern Regional Meeting  
Colville Government Center, Nespelem, Washington  
July 21, 2017  
Notes

orders); and language barriers. He was involved in an effort to provide jury instructions translated into the Dakota language.

- Tribal courts also have the pressure of having to conform and resolve issues like state courts. State court approach is more outcome driven and tribal courts are more process driven. Justice Dupris commented that the practices adopted in both court systems can have roots in shared cultural values, like respect for elders.
- State courts can learn from tribal courts about how to serve pro se litigants. Tribal courts seem to do a better job. They have forms for everything from summary probate, guardianship, and even disputes about burials available at the courthouse. The issue of how to serve pro se litigants has become more important as legal aid resources are being cut.
- The Committee on Tribal and State Court Affairs is a standing committee formed in 1994 and maintained by the North Dakota Supreme Court. Members include tribal and state court judges, clerks, and court administrators. Information about other state consortia can be found at <https://www.walkingoncommonground.org/state.cfm?topic=6#alpha-SD>
- Judge Jones suggested the group read a Gonzaga Law Review article on Public Law 280 because it is a confusing law: <https://litigation-essentials.lexisnexis.com/webcd/app?action=DocumentDisplay&crawlid=1&doctype=cite&docid=47+Gonz.+L.+Rev.+801&srctype=smi&srcid=3B15&key=30ef6ab437af613f21764bc6ae87909e>
- Recently release Department of Interior ICWA regulations will also require more discussion.

### Issues in Washington

Judge Jones opened the floor to discuss issues judges have faced in Washington:

- Justice Dupris shared that the Colville Tribal Court of Appeals recently ruled 2-1 that parental kidnapping statutes of the Uniform Child Custody Jurisdiction and Enforcement Act did not apply because the tribe had declined jurisdiction.
- Many cross-jurisdictional child custody issues were discussed. Custody cases have a lot of full faith and credit issues.
- Tribal courts must follow tribal law, and if the tribal council hasn't adopted certain laws, then the courts cannot follow it. Children who live on reservations, but parent has custody in Washington state court, courts have to determine which court is the child's home court. State lawyers may also need tribal court judges to communicate with them to follow requirements that are required of state lawyers by law, which adds another layer of complexity.
- Tribal courts can modify state court orders, but there are concerns that some people may treat tribal courts as enclaves that they rush to if they don't like state court orders.
- State courts have to consider tribal court decisions when they are considering whether to hold people in contempt for not following the state court order.
- When considering transfers, judges should ask attorneys whether child's funding will be diminished or they will lose access to tribal services as a result. Both state and tribal court judges have to ask before requesting or accepting transfer. For example, guardianship program

Tribal State Court Consortium (TSCC) Eastern Regional Meeting  
Colville Government Center, Nespelem, Washington  
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funding may be contingent on the case staying in the state court's jurisdiction and a transfer may cause funding cuts. Court administrators should be invited to future meetings to clear up the funding questions.

- Child placement is difficult because some tribal courts are prohibited from placing a child in the same residence as individuals with certain felony convictions.
- The group discussed Washington Superior Court Civil Rule 82.5. Judge Jones encouraged future discussions because it is unclear in the rule how we are supposed to find out if another judge isn't honoring an order. What is the burden of persuasion? What exactly constitutes not recognizing or implementing orders?
- Access was eliminated for tribal courts to access state system to enter orders. Swinomish Tribal Court has an agreement with Skagit County to be able to enter orders that will go into the 911 dispatch system. Changes in leaderships can cause a breakdown in the system because these arrangements aren't institutionalized. Some tribes are able to enter orders into the NCIC system, but unsure if NCIC connects with the state system.
- There is also an issue of police not enforcing orders if they see that it is not from the county. This is a major victim safety issue and violates full faith and credit laws. Tribal court orders are supposed to be enforced and honored even if they are not registered. We need to include law enforcement in the Consortium.
- Judge Doucet (Lummi Tribal Court) explained a situation involving child support. When the state courts see an obligor is a tribal member, they automatically send it to tribal courts even while the custody case is still ongoing in state court. Is this a requirement of the IV-D program? Maybe it's an assumption that these individuals have tribal assets? Some of these tribal members don't have any income and don't even live on the reservation. It may be inconvenient for that tribal member to have to come to tribal court.
- Each tribe has a list of Qualified Expert Witnesses. Would it be possible for tribes to come together to create lists? Would create a larger pool to draw from.

### **Courthouse Tours**

Justice Dupris gave a courthouse tour of the Colville Tribal Court of Appeals and Judge Sophie Nomee gave a courthouse tour of the Colville Trial Court. Judges were able to learn about each court's practices and history. Judges were also able to learn more about the Colville Tribal Court Healing to Wellness Program and probation services.

Judges returned to the Colville Government Center for closing remarks and evaluations. Meeting adjourned at 3:30 p.m.

# 5th Annual Tribal State Court Consortium

MONDAY, SEPTEMBER 18, 2017

5:30 – 8:30 PM

THE HEATHMAN LODGE, VANCOUVER, WA

## Participant Agenda

- 5:30 – 5:50 PM      **Welcome and Introductions**  
*Judge Lori K. Smith and Judge Cindy Smith,  
Co-chairs of the Tribal State Court Consortium*
- 5:50 – 7:20 PM      **Film Screening: Tribal Justice**  
In Tribal Justice, two Native American judges reach back to traditional concepts of justice in order to reduce incarceration rates, foster greater safety for their communities and create a more positive future. By addressing the root causes of crime, they are modeling restorative systems that are working, and mainstream courts across the country are beginning to take notice. *A co-production of Vision Maker Media and American Documentary.*
- 7:20 – 7:25 PM      **Break**
- 7:25 – 8:00 PM      **Film Discussion & How State and Tribal Courts in Washington are Implementing Restorative Practices**
- 8:00 – 8:30 PM      **Tribal State Court Consortium**
- Recap of Eastern Regional Meeting
  - Tribal State Court Consortium Committee – Next Meeting 11/3/17
  - Workgroup Proposals



Washington State Minority and Justice Commission (WSMJC)  
 Criteria for Support or Co-sponsorship Requests



**Request Form**

|   |  |
|---|--|
| <b>Full name and contact information of organization and persons making the request:</b>  | Laura Bradley<br>Access to Justice Board, Justice without Barriers Committee   |
| <b>Type of request (please check one)</b><br><b>SUPPORT includes:</b><br>Publicity – WSMJC listed as a “supporter” on all promotional materials and helps advertise.<br><b>CO-SPONSORSHIP includes:</b><br>Publicity – WSMJC listed as a “co-sponsor” on all promotional materials and helps advertise.<br>Funding based on available WSMJC funds.<br>Planning support for the event. | <input checked="" type="checkbox"/> <b>SUPPORT (Level 1)</b><br>Indicate if you would also like:<br><input type="checkbox"/> Guest speaker – WSMJC member(s) provide speaking services on behalf of the Commission<br><br><input type="checkbox"/> <b>CO-SPONSORSHIP (Level 2)</b><br>Indicate if you would also like:<br><input type="checkbox"/> Guest speaker – WSMJC member(s) provide speaking services on behalf of the Commission |
| <b>Name, date, time, and location of the event or project:</b>  | October 30, 2017, 9-4:30<br>Olympia, Seattle, and Spokane  |
| <b>If funding is requested, total amount of funds requested and tentative budget:</b>   |  |
| <b>Purpose and objectives of the request:</b>   | This is a training for administrative law judges on the topics of implicit bias and race equity, intended to raise their awareness and encourage them to remove barriers that impact people of color.  |
| <b>Event agenda or project schedule, if available:</b>  | 9-9:15 Introduction  |



Criteria for Support or Co-sponsorship Requests



|   |  |
|---|--|
|   | <p>9:15 – 9:45 Narrative Storytelling: Our Journey (Bradley, Gonzalez, ALJ Sullivan, Horowitz, Yu (not confirmed))</p> <p>9:45 – 10 Guidposts "not business as usual"</p> <p>10 – 10:35 Where you are and where you aspire to go "The Why"</p> <p>10:35 – 10:50 Break</p> <p>10:50 – 11:35 Self &amp; Other Awareness Tools</p> <p>11:35 – 12:05 Understanding structural racialization/structural oppressions</p> <p>12:05 – 12:50 Lunch</p> <p>12:50 – 1:35 Detour-spotting small group discussion</p> <p>1:35 – 2:35 Implications of implicit Bias and Racial Anxiety for ALJs with small group discussion</p> <p>2:35 – 3:20 Organizational Assessment Work Sheets</p> <p>3:20 – 4:00 ALJ Race Equity Work Plans for Sustainable Progress</p> <p>4:00 – 4:15 Takeaways and Adjourn</p> |
| <p><b>Target audience:</b></p>  | <p>Administrative Law Judges</p>   |
| <p><b>Expected attendance or number of persons who will benefit:</b></p>  | <p>We expect approximately 100 people across the three locations.</p>  |
| <p><b>Other methods or sources being used to raise funds, if any:</b></p> | <p>None other than a small registration fee for coffee service</p>   |
| <p><b>Other co-sponsors, if any:</b></p>                                  | <p>Board of Industrial Insurance Appeals</p> <p>Access to Justice Board</p> <p>JustLead Washington</p> <p>Seattle University</p> <p>Gonzaga University</p>   |



## Washington State Minority and Justice Commission (WSMJC)

### Criteria for Support or Co-sponsorship Requests



|  |   |
|--|---|
|  | Department of Labor and Industries (pending)          |
| <b>Plan to collect outcome data and evaluate the impact of the project (i.e., survey):</b> | We will have an evaluation form for ALJs to complete. |



## Criteria for Support or Co-sponsorship Requests

### Types of Requests

**SUPPORT (Level 1):** WSMJC does NOT provide funding and does NOT help plan the event.

**CO-SPONSORSHIP (Level 2):** WSMJC provides funding and helps plan the event.

### How to Submit a Request

Requests must be submitted in writing (3 pages maximum) and include the following information:

- Full name and contact information (address, telephone number, and email) of organization and persons making the request.
- Type of request.
- Name, date, time, and location of the event or project.
- If funds are requested, the total amount of funds requested and tentative budget.
- Purpose and objectives of the request.
- Event agenda or project schedule, if available.
- Target audience
- Expected attendance or number of persons who will benefit.
- Other methods or sources being used to raise funds, if any.
- Other co-sponsors or supporters, if any.
- Plan to collect outcome data and evaluate the impact of the project (i.e., survey).

**Please complete attached form and send to Carolyn Cole at [Carolyn.cole@courts.wa.gov](mailto:Carolyn.cole@courts.wa.gov).**

**All requests will be referred to the WSMJC co-chairs. If approved, the request is presented to WSMJC membership for a vote. Requests can take up to 90 days to process. You will be notified via email if your request has been approved.**

### Evaluation Criteria for Requests

Requests for WSMJC support or co-sponsorship will be evaluated on the basis of the following criteria:

- The request furthers the mission of the Commission to foster and support a fair and bias-free system of justice in the Washington State courts and judicial systems by: 1) identifying bias of racial, ethnic, national origin and similar nature that affects the quality of justice in Washington State courts and judicial systems; 2) taking affirmative steps to address and eliminate such bias, and taking appropriate steps to prevent any reoccurrence of such bias; and 3) working collaboratively with the other Supreme Court Commissions and other justice system partners.
- The request would strengthen the Commission's relationship with judicial system partners.
- The organization appears to have the capacity, knowledge, and experience to carry out the project.
- There is an adequate plan to collect outcome data and evaluate the impact of the project.



## Criteria for Support or Co-sponsorship Requests

- The requester is willing to collaborate with WSMJC and list WSMJC as a supporter or co-sponsor of the project on all promotional materials.
- The requester communicates with WSMJC in a timely manner and has successfully implemented programs in the past.
- WSMJC capacity and available funds.

### Restrictions

In general, WSMJC will not co-sponsor:

- Requests submitted 30 business days before the event or program is scheduled to be held.
- Individuals
- Lobbying or social events.
- Administrative costs of an organization.
- Travel expenses that are not related to a guest speaker's travel.
- Alcohol, services related to preparing alcoholic beverages, and drugs.
- Gifts
- Programs promoting religious content.
- Organizations that discriminate on the basis of race, ethnicity, national origin, sexual orientation, age, disability, or similar nature.

### If Your Request is Approved

- If request was for funding:
  - WSMJC does not make advance payments. Funds will only be disbursed as a reimbursement to the requester after the event or program has concluded.
  - Requester will be sent a letter of agreement that must be signed and returned to [Carolyn.cole@courts.wa.gov](mailto:Carolyn.cole@courts.wa.gov).
  - Requester will send an invoice within 30 days after the event or program has concluded to:  
  
Minority & Justice Commission  
Administrative Office of the Courts  
Post Office Box 41170  
Olympia, WA 98504-1170
  - Event schedule or agenda and list of attendees must be attached to the invoice.
  - If funding is approved for guest speaker travel, all travel arrangements must be organized by WSMJC.
- WSMJC must be listed as a “supporter” or “co-sponsor” on all promotional materials.
- Requester must be open to collaborating with WSMJC to plan and implement the project.



## Criteria for Support or Co-sponsorship Requests

- Within 30 days after the event, requester will send a short summary (1 page maximum) of the event or project and its impact with 2-3 pictures from the event to [Carolyn.Cole@courts.wa.gov](mailto:Carolyn.Cole@courts.wa.gov).

### Request Form

|   |   |
|---|---|
| <b>Full name and contact information of organization and persons making the request:</b>  | Catherine Brown and David Johnson, BJA Public Trust & Confidence Committee members  |
| <b>Type of request (please check one)</b><br><br><b>SUPPORT includes:</b><br><br>Publicity – WSMJC listed as a “supporter” on all promotional materials and helps advertise.<br><br><b>CO-SPONSORSHIP includes:</b><br><br>Publicity – WSMJC listed as a “co-sponsor” on all promotional materials and helps advertise.<br><br>Funding based on available WSMJC funds.<br><br>Planning support for the event. | <input type="checkbox"/> <b>SUPPORT (Level 1)</b><br><br>Indicate if you would also like:<br><br><input type="checkbox"/> Guest speaker – WSMJC member(s) provide speaking services on behalf of the Commission<br><br><input checked="" type="checkbox"/> <b>X CO-SPONSORSHIP (Level 2)</b><br><br>Indicate if you would also like:<br><br><input type="checkbox"/> Guest speaker – WSMJC member(s) provide speaking services on behalf of the Commission  |
| <b>Name, date, time, and location of the event or project:</b>  | Public Service Announcement video to be created as funding is available. Date, time, and location to record video are all subject to available resources and staffing.  |
| <b>If funding is requested, total amount of funds requested and tentative budget:</b>   | We request \$3,000 to cover the cost of staffing and equipment to develop, produce, and record the video through Washington State’s public affairs television network, TVW.   |
| <b>Purpose and objectives of the request:</b>   | The Public Trust & Confidence Committee plans to develop a public service announcement-video to communicate the important message that those who need to access Washington’s state courts can expect to be treated with fairness, dignity, and respect within those courthouses and justice systems.  |
| <b>Event agenda or project schedule, if available:</b>  | <p>Our committee plans to develop a public service announcement video to highlight the courthouse as a public forum where members of the public will be treated with dignity, fairness, and respect. We believe that now is a particularly prescient time for a reminder that the courthouse is an open and trusted public forum.</p> <p>The Public Trust &amp; Confidence Committee helped to develop similar PSA videos in the past, including <a href="#">Myths and Misperceptions about Washington Courts</a></p> |



Criteria for Support or Co-sponsorship Requests

|   |   |
|---|---|
|   | <p>and the <a href="#">Importance of Serving on a Jury</a>. The TVW team assigned to this proposed video has extensive production experience, winning multiple Emmy and NATOA Government Programming Awards for previous efforts. Based on past experience with this kind of project, we expect similarly engaged and interested audiences for our “Dignity, Fairness, and Respect” video.</p> <p>We are particularly interested in working with both the Minority and Justice and Gender and Justice Commissions to develop PSA content that is relevant and responsive to your specific constituent groups as they encounter Washington’s Judicial System.</p> <p>We expect to begin work on the PSA as funding is available and will gladly incorporate Commission members in this work as schedules permit. We welcome the opportunity to list all partners in this endeavor on any promotional material and within the video itself.</p> |
| <p><b>Target audience:</b></p>  | <p>The target audience for this video is the public at large. Aligning with the Public Trust &amp; Confidence Committee’s mission, our goal is to use the video to increase the public’s trust and confidence in Washington’s judicial system.</p>  |
| <p><b>Expected attendance or number of persons who will benefit:</b></p>                          | <p>We expect to circulate the video broadly, for use in local courthouses and other community centers. We will post it online, at the Washington Courts website and will encourage others to link to the video.</p>   |
| <p><b>Other methods or sources being used to raise funds, if any:</b></p>                         | <p>Public Trust &amp; Confidence Committee members are in the process of requesting funding from Washington’s Gender and Justice Commission and are interested to learn whether there are other commissions who may be interested in co-sponsoring this project.</p>  |
| <p><b>Other co-sponsors, if any:</b></p>  | <p>Please see our answer to the previous question.</p>  |
| <p><b>Plan to collect outcome data and evaluate the impact of the project (i.e., survey):</b></p> | <p>As we’ve done with public service announcement videos in the past, we will monitor who and how many local courthouses and organizations are interested in using the video. We also have the capability to track how many times the links posted online are accessed and how many times the video is viewed.</p>  |

## Minority & Justice Commission UW Law Student Liaisons 2017-18



Seth W. R. Brickey, UW Law J.D. Candidate, Class of 2019  
[sbrickey@uw.edu](mailto:sbrickey@uw.edu)

Seth Brickey is a rising 2L from the University of Washington where he serves as a board member of the Native American Law Student Association. Seth has enjoyed governance and public policy work, including serving as a Board President and mentor to Youth Courts of Alaska, Alaska's novel approach to reforming juvenile justice. Seth is a 2016-17 Gregoire Fellow.



Maddie Flood, UW Law J.D. Candidate, Class of 2019  
[mcflood@uw.edu](mailto:mcflood@uw.edu)

Maddie is interested in the impacts of mass incarceration on communities of color and women. She pursues her passion for community wellbeing by sitting on the boards of the Black Student Law Association and the Incarcerated Mothers Advocacy Project. Maddie is a Gates Public Service Law Scholar.



Amira Mattar, UW Law J.D. Candidate, Class of 2019  
[amiram@uw.edu](mailto:amiram@uw.edu)

Amira is a first-generation Arab-American woman from Seattle, WA. Amira's work has mainly centered on international humanitarian service. She is looking forward to embolden minority narratives this year through her roles as an MJC student and as incoming president of the Minority Law Student Association (MLSA). Amira is a 2017-18 LEAD-WA fellow.



Catalina Saldivia Lagos, UW Law J.D./LLM Candidate, Class of 2019  
[catasl@uw.edu](mailto:catasl@uw.edu)

Catalina is passionate about race and equity issues and has worked in nonprofits in India, Guatemala, and the United States, serving diverse communities and advocating for their rights. Catalina's role as co-president to the UW Latinx Law Student Association has allowed her to bring people together to create a sense of community within the school.



### **2017 – 2018 Seattle University School of Law Liaisons**

**Lia Baligod** is a 2L at SU School of Law. She grew up in Manila, Philippines, and moved to the Bay Area when she was 9 years old. She is pursuing immigration law so that she may continue working with our diverse communities.

**Maia Bernick** is a 3L at Seattle University school of Law. Originally, Maia is from Las Vegas, Nevada, but came to the Pacific Northwest to pursue her undergraduate and legal education. After graduation, Maia hopes to work with the elderly and other vulnerable adults either via direct client services or through systemic/policy-based advocacy.

**Geraldine Anne Enrico** is a 3L at Seattle University School of Law and an MJC Liaison for the Minority and Justice Commission. She is from Kent, Washington, and was drawn to law school by her immigration experiences. She is currently a Rule 9 Intern at the Pierce County Prosecuting Attorney’s Office, handling impoundment hearings for the County, which is why she is unable to join us at the meeting today, and plans to practice civil litigation after law school.

**Nickolas McKee** is a 3L at Seattle University School of Law. He is from Phoenix, Arizona, and he is interested in working in immigration law, specifically representing detained immigrants.

### **2017 – 2018 Gonzaga University School of Law Liaisons**

**Rina Bozeman**, 2L

**Peter Gale**, 3L

**Sather Gowdy**, 2L

**Briana Ortega**, 2L